

Notice of Allowability

Application No.

10/627,787

Examiner

Robert J. Hoffberg

Applicant(s)

LEE ET AL.

Art Unit

2835

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/25/03.
2. ☒ The allowed claim(s) is/are 1-14.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☒ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 7/25/03
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Detailed Action

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Wei Chung, Reg. No. 43,325 on 9/5/07.
3. Amend claim 14 as follows. "a post located on the longitudinal portion and vertically moveable relative thereto; and" to --a post located on the longitudinal portion and vertically moveable relative thereto; wherein said post is equipped with a camming handle to lift the post relative to the longitudinal portion by rotation; and--.
4. Cancel claim 15.

Priority

5. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Taiwan Application No. 91221601 on 12/31/02. It is noted, however, that applicant has not filed a certified copy of the Taiwan application as required by 35 U.S.C. 119(b).

REASONS FOR ALLOWANCE

6. Claims 1-14 are allowed.
7. The claims 1-13 are allowable over the prior art of record for at least the reason that the prior art fails to teach or suggest a structure as in claim 1 or 8, comprising a clip

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comprising a main body having a longitudinal portion with an aperture and two locking arms having engaging means, a post having extending through the aperture wherein the post having a pressing portion at a bottom thereof, a resilient element between the pressing portion and the longitudinal portion, a handle pivotally connected to an upper portion of the post, the handle having a cam at one end abutting a top of the longitudinal portion. The aforementioned limitations in combination with all remaining limitations of the respective claims are believed to render said independent claims 1, 8 and all claims dependent therefrom patentable over art of record.

8. The claims 14 is allowable over the prior art of record for at least the reason that the prior art fails to teach or suggest a structure as in claim 14, said post is equipped with a camming handle to lift the post relative to the longitudinal portion by rotation. The aforementioned limitations in combination with all remaining limitations of the respective claims are believed to render said independent claims 14 patentable over art of record.

9. The closest references to the present invention are believed to be as follows: Choudhury et al. (US 6,058,014) and Lee et al. (US 7,009,843) disclose a heat clip comprising main body having a longitudinal portion and two locking arms with engaging means, a post having a pressing portion and a resilient member for biasing a heat sink against a heat generating device, but fail to disclose a handle. Letourneau (US 6,462,951) discloses a heat clip comprising main body having a longitudinal portion and two locking arms with engaging means, a post and a resilient member for biasing a heat sink against a heat generating device, but fail to disclose a handle. Blomquist (US 6,061,239 and US RE38,677), Clemens et al. (US 6,082,440), Seo (US 6,181,559), Lee

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(US 6,318,452), Chen (US 6,421,242), Lo (US 6,480,384), Chen (US 6,507,491), Chiu (US 6,532,153) and Truong (US 6,563,716) disclose a heat clip comprising main body having a longitudinal portion and two locking arms with engaging means, a handle having a cam for applying a force for retaining a heat sink against a heat generating device, but fail to disclose a post and a resilient member for applying the force to retain the heat sink against the heat generating device. Lee et al. (US 6,392,889) and Liu (US 6,795,317) disclose a post having a handle pivotally connected to an upper portion of the post, the handle having a cam at one end, and a resilient member to retain a heat sink against a generating device, but fails to disclose the balance of the structure of the claimed invention. Eyman et al. (US 6,639,800) in Fig. 5 disclose a heat clip comprising main body having a longitudinal portion and two locking arms with engaging means and a cam handle for biasing a heat sink against a heat generating device, but fail to the balance of the structure of the claimed invention. These above listed references all lack the specific structure and arrangement in claims 1, 8 or 15.

10. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

11. None of the cited references, either taken alone or in combination is believed to render the present invention unpatentable as claimed.

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12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert J. Hoffberg whose telephone number is (571) 272-2761. The examiner can normally be reached on 8:30 AM - 4:30 PM Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jayprakash Gandhi can be reached on (571) 272-3740. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RJH 9/4/07 *RJH*

JN Gandhi
9/12/07
JAYPRAKASH GANDHI
SUPERVISORY PATENT EXAMINER